



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE ENVIRONMENTAL FIELD OFFICE

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February 21, 2014

The Honorable Tony Aikens
Mayor, Lenoir City
600 East Broadway
Lenoir City, Tennessee 37771

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT # 70123050000141337102

Re: MS4 Program Audit
Lenoir City
NPDES Permit No. TNS077798
Loudon County

Dear Mayor Aikens:

On February 4, 2014, Division personnel from the Knoxville Environmental Field Office initiated an audit of Lenoir City's Municipal Separate Storm Sewer System (MS4) program to review compliance with NPDES Permit Number TNS077798. The Division values the cooperation of program staff throughout the inspection process; Greg Buckner and Stephanie Farrell, from Third Rock Consultants, were in attendance of the audit, and were able to provide information and details necessary to conduct a thorough inspection.

The following is a list of issues that Lenoir City must address to comply with the terms and conditions of TNS077798:

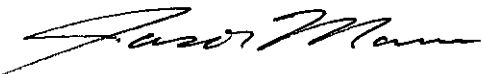
1. During the inspection, it has been noted that the current stormwater ordinance is deficient and must be revised. The list of required ordinance changes include:
 - a) Throughout the statute, the stormwater ordinance references the control authority as Loudon County, not Lenoir City.
 - b) The ordinance does not meet the minimum construction or post-construction water quality buffer requirements (Section 4.2.5.1).
 - c) Permanent stormwater management will require runoff reduction strategies and ordinances within 4 years of coverage under the permit (Section 4.2.5.3). While this date has not yet passed, incorporating this into ordinance changes should be considered.
2. A formal set of Standard Operating Procedures (SOP) should be developed to aid stormwater staff and to consistently implement the program. The Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, and Permanent Stormwater Management components of the program must be uniformly applied, and a formal SOP will aid in that process.

The Honorable Tony Aikens
Lenoir City
February 21, 2014
Page 2

3. In the Construction Site Stormwater Runoff Control component of TNS077798, requirements are made to establish procedures for reviewing Erosion Prevention and Sediment Control (EPSC) plans. Lenoir City staff has not formalized the process of reviewing EPSC plans for land disturbance permitting. Additionally, the person in charge of reviewing EPSC plans has not received the requisite "Level II" training course offered through TDEC and the University of Tennessee (Sections 4.2.2.f & 4.2.4.i).
4. The Public Involvement and Education (PIE) plan, a formal requirement of the permit, has not been developed. The PIE plan is a structured process for implementing education and training requirements found throughout the permit. The plan should be designed to bring in new stakeholders, promote public detecting and reporting illicit discharges, involving the community in program coordination, and to recruit educational volunteers within a jurisdiction (Section 4.2.1 & 4.2.2).
5. The Pollution Prevention/Good Housekeeping component of the MS4 permit requires an operation and maintenance plan be developed for individual municipal facilities within a given jurisdiction. Lenoir City has not developed such plans, and must do so to comply with the terms and conditions of TNS077798 (Section 4.2.6).
6. The creation of a stormwater utility was discussed during the audit on multiple occasions. In order to provide financial stability to a program that is designed to properly maintain an aging stormwater infrastructure, Lenoir City should give serious thought to the development of a stormwater utility within this jurisdiction.

Again, the Division appreciates the cooperation shown during the inspection. Please provide this office, by April 30, 2014, a formal plan of action that Lenoir City will take to address these issues. If you have any questions or comments, please contact me at (865) 594-1077 or Jason.Mann@tn.gov.

Sincerely,



Jason Mann
Tennessee Division of Water Resources

cc: Greg Buckner, Lenoir City (e-copy)
Don White, Lenoir City (e-copy)
Stephanie Farrell, Third Rock Consulting (e-copy)